

House Study Bill 652 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
ECONOMIC GROWTH/REBUILD
IOWA BILL BY CHAIRPERSON
GRASSLEY)

A BILL FOR

1 An Act relating to the types of containers included under the
2 beverage container control laws and the reimbursement amount
3 paid by a distributor for empty beverage containers.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455C.1, subsection 1, Code Supplement
2 2011, is amended to read as follows:

- 3 1. "Beverage" means includes but is not limited to wine as
4 defined in section 123.3, subsection 47, alcoholic liquor as
5 defined in section 123.3, subsection 5, and beer all as defined
6 in section 123.3, subsection 7, mineral water, soda water and
7 similar carbonated soft drinks and any nonalcoholic carbonated
8 and noncarbonated drinks, in liquid form and intended for human
9 consumption. "Beverage" does not include any of the following:
- 10 a. Fruit and vegetable juice and drink products.
11 b. Grade 'A' milk and milk products as specified in the
12 grade 'A' pasteurized milk ordinance, as provided in section
13 192.102.
- 14 c. A liquid that is any of the following:
15 (1) A syrup.
16 (2) In a concentrated form.
17 (3) Typically added as a minor flavoring ingredient in
18 food or drink, such as extracts, cooking additives, sauces, or
19 condiments.
- 20 d. A liquid that is ingested in very small quantities and
21 consumed for medicinal purposes only.
- 22 e. A liquid that is designed and consumed only as a
23 nutritional supplement, as defined by the department, and not
24 as a beverage.
- 25 f. Products frozen at the time of sale to the consumer,
26 or, in the case of institutional users such as hospitals and
27 nursing homes, at the time of sale to such users.
- 28 g. Products designed to be consumed in a frozen state.
29 h. Instant drink powders.
30 i. Seafood, meat, or vegetable broths or soups.
31 j. Farm-produced apple cider that has not been heated,
32 pasteurized, or otherwise processed.
33 k. Infant formula.

34 Sec. 2. Section 455C.2, subsection 2, Code 2011, is amended
35 to read as follows:

2. In addition to the refund value provided in subsection 1 of this section, a dealer, or person operating a redemption center who redeems empty beverage containers or a dealer agent shall be reimbursed by the distributor required to accept the empty beverage containers an amount which is one cent per container. However, the distributor shall provide an additional one cent reimbursement for each container made of plastic. A dealer, dealer agent, or person operating a redemption center may compact empty metal beverage containers with the approval of the distributor required to accept the containers.

EXPLANATION

13 This bill relates to the types of containers included under
14 the beverage container control laws and the reimbursement
15 amount paid by a distributor for empty beverage containers.

16 The bill expands the list of beverages whose containers are
17 regulated under Code chapter 455C, commonly referred to as
18 the bottle bill. The newly regulated beverages include any
19 nonalcoholic, carbonated and noncarbonated drinks excluding
20 fruit and vegetable juices and fruit drinks and grade "A" milk
21 and milk products as specified in the grade "A" pasteurized
22 milk ordinance. The bill also includes a list of other
23 exceptions to the newly regulated beverages.

24 The reimbursement amount, commonly referred to as a handling
25 fee, is paid by the distributor who collects the beverage
26 containers from the dealer or person operating a redemption
27 center. Currently, the reimbursement amount is 1 cent per
28 container. The bill requires distributors to pay an additional
29 1 cent for each collected container that is made of plastic.